

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.☐ Valuation of Security☐ Assumption of Executory Contract or Unexpired Lease☐ Lien Avoidance

Last revised: August 1, 2020

**UNITED STATES BANKRUPTCY COURT
District of New Jersey**In Re: **Jorge E Lema**

Case No.:

19-28683-SLM

Judge:

Meisel

Debtor(s)

CHAPTER 13 PLAN AND MOTIONS☐ Original☒ Modified/Notice Required

Date:

November 29, 2022☒ Motions Included☐ Modified/No Notice RequiredTHE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE.**YOUR RIGHTS MAY BE AFFECTED**

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the *Notice*. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☐ DOES ☒ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney SET Initial Debtor: JEL Initial Co-Debtor _____

Part 1: Payment and Length of Plan

a. The debtor shall pay a total of \$12,786.00 to the Chapter 13 Trustee from November 2019 through November 2022 (37 months); the debtor shall pay \$900.00 monthly to the Chapter 13 Trustee starting December 2022 for approximately 1 months. The total length of plan is approximately 38 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

- ☒ Future Earnings
☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property
Description:
Proposed date for completion: _____

☐ Refinance of real property:
Description:
Proposed date for completion: _____

☐ Loan modification with respect to mortgage encumbering property:
Description:
Proposed date for completion: _____

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection ☐ NONE

a. Adequate protection payments will be made in the amount of \$____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to ____ (creditor).

b. Adequate protection payments will be made in the amount of \$ 1,689.09 to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: Specialized Loan Servicing (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Scott E. Tanne	Attorney Fees	5,970.34
Scott E. Tanne	Attorney Fees	estimated at 1,400.00, subject to Court approval
IRS	Taxes and certain other debts	0.00
State of New Jersey	Taxes and certain other debts	0.00

b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:

Check one:

☒ None

☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
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Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
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b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
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c. Secured claims excluded from 11 U.S.C. 506: ☒ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation
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d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ☒ NONE

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to Be Paid
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2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender ☐ NONE

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
Specialized Loan Servicing	104 Riggs Place West Orange, NJ 07052	340,000.00	collateral surrendered in full satisfaction of debt owed to creditor for purposes of bankruptcy discharge only. debtor reserves rights as to property, including but not limited to possession and all rights available under applicable state and federal laws
Specialized Loan Servicing	104 Riggs Place West Orange, NJ 07052	340,000.00	collateral surrendered in full satisfaction of debt owed to creditor for purposes of bankruptcy discharge only. debtor reserves rights as to property, including but not limited to possession and all rights available under applicable state and federal laws
New Century Financial	104 Riggs Place West Orange, NJ 07052	340,000.00	collateral surrendered in full satisfaction of debt owed to creditor for purposes of bankruptcy discharge only. debtor reserves rights as to property, including but not limited to possession and all rights available under applicable state and federal laws

f. Secured Claims Unaffected by the Plan ☒ NONE

The following secured claims are unaffected by the Plan:

Creditor

g. Secured Claims to be Paid in Full Through the Plan ☒ NONE

Creditor	Collateral	Total Amount to be Paid through the Plan
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Part 5: Unsecured Claims ☐ NONE

a. **Not separately classified** allowed non-priority unsecured claims shall be paid:

- ☐ Not less than \$ ___ to be distributed *pro rata*
- ☐ Not less than ___ percent
- ☒ *Pro Rata* distribution from any remaining funds

b. **Separately classified unsecured** claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid
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Part 6: Executory Contracts and Unexpired Leases ☒ **NONE**

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment
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Part 7: Motions ☒ **NONE**

NOTE: All plans containing motions must be served on all affected lienholders, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. **Motion to Avoid Liens under 11 U.S.C. Section 522(f).** ☒ **NONE**

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
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b. **Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured.** ☒ **NONE**

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified
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c. **Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.** ☒ **NONE**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified
The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:						
Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured	

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon Confirmation
☐ Upon Discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee Commissions
- 2) **Other Administrative Claims**
- 3) **Secured Claims**
- 4) **Lease Arrearages**
- 5) **Priority Claims**
- 6) **General Unsecured Claims**

d. Post-Petition Claims

The Standing Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification ☒ NONE

NOTE: Modification of a plan does not require that a separate motion be filed. A modified plan must be served in accordance with D.N.J. LBR 3015-2.

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: June 13, 2021

Explain below why the plan is being modified:	Explain below how the plan is being modified:
To surrender property and complete plan based on denial of loan modification application and inability to cure arrears through Plan.	same

Are Schedules I and J being filed simultaneously with this Modified Plan? ☐ Yes ☒ No

Part 10 : Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

☒ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are ineffective.

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to *Local Form, Chapter 13 Plan and Motions*, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: November 29, 2022

/s/ Jorge E Lema

Jorge E Lema

Debtor

Date: _____

Joint Debtor

Date: November 29, 2022

/s/ Scott E. Tanne

Scott E. Tanne st2477

Attorney for the Debtor(s)

In re:
Jorge E Lema
Debtor

Case No. 19-28683-SLM
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin

Page 1 of 3

Date Rcvd: Dec 05, 2022

Form ID: pdf901

Total Noticed: 31

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
^	Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 07, 2022:

Recip ID	Recipient Name and Address
db	+ Jorge E Lema, 104 Riggs Place, West Orange, NJ 07052-5212
cr	+ Specialized Loan Servicing LLC, P.O. Box 340514, Tampa, FL 33694-0514
518568576	+ Best Egg, 4315 Pickett Road, PO Box 3999, Saint Joseph, NO 64503-0999
518490451	+ Phelan Hallinan & Diamond, PC, 400 Fellowship Road, Suite 100, Mount Laurel, NJ 08054-3437
518490453	State of New Jersey, Division of Taxation, Bankruptcy Unit, PO Box 245, Trenton, NJ 08695-0245

TOTAL: 5

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
smg	Email/Text: usanj.njbankr@usdoj.gov	Dec 05 2022 20:46:00	U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
smg	+ Email/Text: ustpreion03.ne.ecf@usdoj.gov	Dec 05 2022 20:46:00	United States Trustee, Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100, Newark, NJ 07102-5235
cr	+ Email/PDF: gecsedl@recoverycorp.com	Dec 05 2022 20:45:12	Synchrony Bank, c/o PRA Recievables Management, LL, POB 41021, Norfolk, VA 23541-1021
518490442	+ Email/PDF: AIS.cocard.ebn@aisinfo.com	Dec 05 2022 20:44:53	Capital One, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
518490443	+ Email/PDF: AIS.cocard.ebn@aisinfo.com	Dec 05 2022 20:45:13	Capital One, Po Box 30281, Salt Lake City, UT 84130-0281
518563958	+ Email/PDF: ebn_ais@aisinfo.com	Dec 05 2022 20:44:56	Capital One Bank (USA), N.A., by American InfoSource as agent, 4515 N Santa Fe Ave, Oklahoma City, OK 73118-7901
518490444	+ Email/PDF: creditonebknotifications@resurgent.com	Dec 05 2022 20:44:54	Credit One Bank, Attn: Bankruptcy Department, Po Box 98873, Las Vegas, NV 89193-8873
518490445	+ Email/PDF: creditonebknotifications@resurgent.com	Dec 05 2022 20:45:14	Credit One Bank, Po Box 98875, Las Vegas, NV 89193-8875
518490446	^ MEBN	Dec 05 2022 20:36:43	Equifax, PO BOX 740241, Atlanta, GA 30374-0241
518490447	^ MEBN	Dec 05 2022 20:37:16	Experian, PO BOX 9701, Allen, TX 75013-9701
518549620	Email/PDF: MerrickBKNotifications@Resurgent.com	Dec 05 2022 20:44:53	Fair Square Financial LLC, Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368
518490448	Email/Text: sbse.cio.bnc.mail@irs.gov	Dec 05 2022 20:46:00	IRS, PO BOX 7346, Philadelphia, PA 19101-7346
518609434	Email/Text: JCAP_BNC_Notices@jcap.com	Dec 05 2022 20:46:00	Jefferson Capital Systems LLC, Po Box 7999, Saint Cloud Mn 56302-9617
518567540	Email/PDF: resurgentbknotifications@resurgent.com		

District/off: 0312-2

User: admin

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Date Rcvd: Dec 05, 2022

Form ID: pdf901

Total Noticed: 31

		Dec 05 2022 20:45:08	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
518490449	+ Email/PDF: bankruptcy@ncfsi.com		
		Dec 05 2022 20:44:54	New Century Financial, 110 S. Jefferson Rd # 104, Whippany, NJ 07981-1038
518490450	+ Email/PDF: MerrickBKNotifications@Resurgent.com		
		Dec 05 2022 20:45:06	Olo Card Services, Attn: Bankruptcy, Po Box 9222, Old Bethpage, NY 11804-9222
519012401	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com		
		Dec 05 2022 20:45:15	Portfolio Recovery Associates, LLC, PO Box 41067, Norfolk, VA 23541
519012402	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com		
		Dec 05 2022 20:45:07	Portfolio Recovery Associates, LLC, PO Box 41067, Norfolk, VA 23541, Portfolio Recovery Associates, LLC, PO Box 41067, Norfolk, VA 23541
518560221	Email/PDF: resurgentbknotifications@resurgent.com		
		Dec 05 2022 20:44:56	Resurgent Capital Services as servicing agent for, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
518490452	+ Email/Text: bkelectronicnoticecourtmail@computershare.com		
		Dec 05 2022 20:46:00	Specialized Loan Servicing LLC, 6200 S. Quebec Street, Greenwood Village, CO 80111-4720
518493513	+ Email/PDF: gecsedl@recoverycorp.com		
		Dec 05 2022 20:44:53	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
518501803	+ Email/Text: tdebn@credbankserv.com		
		Dec 05 2022 20:46:00	TD Retail Card Services, c/o Creditors Bankruptcy Service, P.O. Box 800849, Dallas, TX 75380-0849
518490454	^ MEBN		
		Dec 05 2022 20:37:12	Trans Union, PO BOX 2000, Chester, PA 19016-2000
519268534	+ Email/Text: bkelectronicnoticecourtmail@computershare.com		
		Dec 05 2022 20:46:00	U.S. Bank National Association Trustee (See 410), c/o Specialized Loan Servicing LLC, 6200 S. Quebec St., Greenwood Village, Colorado 80111-4720
518606236	+ Email/Text: bkelectronicnoticecourtmail@computershare.com		
		Dec 05 2022 20:46:00	U.S. Bank National Association, Trustee (See 410), c/o Specialized Loan Servicing LLC, 8742 Lucent Blvd, Suite 300, Highlands Ranch, Colorado 80129-2386
518601811	+ Email/PDF: ebn_ais@aisinfo.com		
		Dec 05 2022 20:44:56	Verizon, by American InfoSource as agent, 4515 N Santa Fe Ave, Oklahoma City, OK 73118-7901

TOTAL: 26

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 07, 2022

Signature: /s/Gustava Winters

District/off: 0312-2

User: admin

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Date Rcvd: Dec 05, 2022

Form ID: pdf901

Total Noticed: 31

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 2, 2022 at the address(es) listed below:

Name	Email Address
Denise E. Carlon	on behalf of Creditor Credit Suisse First Boston Mortgage Securities Corp. CSMC Mortgage-Backed Pass-Through Certificates Et Al... dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Gavin Stewart	on behalf of Creditor Specialized Loan Servicing LLC bk@stewartlegalgroup.com
Marie-Ann Greenberg	magecf@magtrustee.com
Scott E. Tanne	on behalf of Debtor Jorge E Lema ecf@tannelaw.com tannesr87179@notify.bestcase.com;tanne.ecf.email@gmail.com
U.S. Trustee	USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 5